

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

Faulkner Literary Rights, LLC

**PLAINTIFF**

v.

**CIVIL ACTION**

**No. 3:12cv100-M-V**

Sony Pictures Classics Inc.

**DEFENDANT**

**CASE MANAGEMENT ORDER**

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the Court on a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

**IT IS HEREBY ORDERED:**

**1. ESTIMATED DAYS OF TRIAL:** 3

**ESTIMATED TOTAL NUMBER OF WITNESSES:** 6

**EXPERT TESTIMONY EXPECTED:** Yes

**NO. OF EXPERTS:**

4

**2. ALTERNATIVE DISPUTE RESOLUTION [ADR].**

At the time this Case Management Order is offered it does not appear that alternative dispute resolution techniques will be used in this civil action.

Additional Information:

**3. CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE.**

The parties do not consent to trial by a United States Magistrate Judge.

**4. DISCLOSURE.**

The pre-discovery disclosure requirements of Fed.R.Civ.P.26(a)(1) and U.L.Civ.R. 16(d) and 26(a) have been complied with fully.

**5. MOTIONS; ISSUE BIFURCATION.**

Staged resolution, or bifurcation of the issues for trial in accordance with FED. R. CIV. P. 42(b) will not assist in the prompt resolution of this action.

Early filing of the following motion(s) might significantly affect the scope of discovery or otherwise expedite the resolution of this action:

Defendant has filed a Motion to Dismiss under Rule 12(b)(6) and, in the alternative, a Motion to Transfer Venue to the United States District Court for the Southern District of New York.

**6. DISCOVERY PROVISIONS AND LIMITATIONS.**

- A. Interrogatories are limited to 25 succinct questions.
- B. Requests for Production and Requests for Admissions are limited to  
30 succinct questions.
- C. Depositions are limited to the parties, experts, and no more than  
5 fact witness depositions per party without additional approval of the Court.

- D.** The parties have complied with the requirements of Local Rule 26(e)(2)(B) regarding discovery of electronically stored information and have concluded as follows [The parties MUST state whether or not there is ESI and, if so, how they propose to address it]:

Plaintiff does not have any relevant ESI of significance.

Defendant has the following ESI: Defendant does not have any relevant ESI of significance with respect to liability. Defendant does, however, maintain employee email accounts and certain other electronic records, and Defendant will preserve this ESI in its current format and disclose to Plaintiff a description of the available information, including format, general content, approximate size and number of files and other relevant information as necessary to determine an appropriate method of production. The parties will then work in good faith to resolve any issues concerning production of this information.

- E.** There are no further discovery provisions or limitations.

Additional Provisions:

**7. SCHEDULING DEADLINES**

**A. Trial.** This action is set for JURY TRIAL

beginning on: April 7, 2014, at 9:40, a.m., in Oxford,  
Mississippi, before United States District Judge Michael P. Mills. THE  
ESTIMATED NUMBER OF DAYS FOR TRIAL IS THREE. ANY CONFLICTS WITH  
THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE  
IMMEDIATELY UPON RECIEPT OF THIS CASE MANAGEMENT ORDER.

**B. Pretrial.** The pretrial conference is set on: March 4, 2014, at 10:00, a.m.,  
in Greenville, Mississippi, before United States Magistrate  
Judge Jane M. Virden.

**C. Discovery.** All discovery must be completed by: 10/2/13.

**D. Amendments.** Motions for joinder of parties or amendments to the pleadings must be  
filed by: 5/31/13.

**E. Experts.** The parties' experts must be designated by the following dates:

1. Plaintiff(s): 7/2/13.

2. Defendant(s): 8/2/13.

**8. MOTIONS.** All dispositive motions and *Daubert*-type motions challenging another party's expert must be filed by: 10/18/13. The deadline for motions *in limine* is fourteen days before the pretrial conference; the deadline for responses is seven days before the pretrial conference.

**9. SETTLEMENT CONFERENCE.**

If the parties desire judicial assistance to settle the case after initial discovery, they will contact the Court to request a date for a settlement conference when they have obtained the discovery necessary to make the conference effective.

**10. REPORT REGARDING ADR.** On or before (7 days before FPTC) \_\_\_\_\_, the parties must report to the undersigned all ADR efforts they have undertaken to comply with the Local Rules or provide sufficient facts to support a finding of just cause for failure to comply. *See L.U.Civ.R.83.7(f)(3).*

**SO ORDERED:**

4/2/2013  
DATE

s/Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE